

Sep. 22. 2006 9:26AM INGRASSIA FISHER & LORENZ PC
Appl. No. 10/650,267
Amdt. Dated September 22, 2006
Reply to Office Action of July 5, 2006

No. 3097 P. 8
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REMARKS

This is a full and timely response to the non-final Office action mailed July 5, 2006. Reexamination and reconsideration in view of the foregoing amendments and following remarks is respectfully solicited.

Claims 1, 2, 4-18, and 20 are now pending in this application, with Claims 1, 11, and 18 being the independent claims. Claims 1, 4, 7, 8, 11, 13, 14, and 18 have been amended, and Claims 3 and 19 have been canceled herein. No new matter is believed to have been added.

Rejections Under 35 U.S.C. § 112, First Paragraph

Claims 3-8 and 19 were rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the enablement requirement. Although Claims 3 and 19 have been canceled herein, the subject matter that was intended to be originally recited in these claims has been incorporated into independent Claims 1 and 18, respectively. Thus, it is noted that upon incorporation of the subject matter thereof, the claims have been appropriately corrected to remove the allegedly non-enabled recitations.

In view of the foregoing, reconsideration and withdrawal of the § 112, first paragraph rejections is requested.

Rejections Under 35 U.S.C. § 112, Second Paragraph

Claims 13 and 14 were rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. These claims have been amended herein to correct the allegedly indefinite aspects thereof. Namely, Claim 13 has been amended to depend from independent Claim 11, rather than independent Claim 1, and Claim 14 has been amended to remove the word "type" therefrom.

In view of the foregoing, reconsideration and withdrawal of the § 112, second paragraph rejections is also requested.

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Rejections Under 35 U.S.C. § 102

Claims 1, 9, 10-12, 15-18, and 20 were rejected under 35 U.S.C. § 102 as allegedly being anticipated by U.S. Patent No. 4,345,485 (Livet et al.), and Claims 1, 2, 9, 10, 13, 14, and 18 were rejected under 35 U.S.C. § 102 as allegedly being anticipated by U.S. Patent No. 4,533,021 (Perez da la Orden). These rejections are respectfully traversed.

Independent Claims 1 and 18 now recite the features of as-filed dependent Claims 3 and 19, respectively. As such, these claims cannot be anticipated by either Livet et al. or Perez de la Orden, and the § 102 rejections should be withdrawn. Applicants additionally note that neither of these references, nor any of the other art of record disclose, or even remotely suggest the subject matter encompassed by independent Claims 1, 11, and 18.

Conclusion

Based on the above, independent Claims 1, 11, and 18 are patentable over the citations of record. The dependent claims are also deemed patentable for the reasons given above with respect to the independent claims and because each recite features which are patentable in its own right. Individual consideration of the dependent claims is respectfully solicited.

The other art of record is also not understood to disclose or suggest the inventive concept of the present invention as defined by the claims.

Hence, Applicant submits that the present application is in condition for allowance. Favorable reconsideration and withdrawal of the objections and rejections set forth in the above-noted Office action, and an early Notice of Allowance are requested.

If the Examiner has any comments or suggestions that could place this application in even better form, the Examiner is requested to telephone the undersigned attorney at the below-listed number.

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If for some reason Applicant has not paid a sufficient fee for this response, please consider this as authorization to charge Ingrassia, Fisher & Lorenz, Deposit Account No. 50-2091 for any fee which may be due.

Respectfully submitted,

INGRASSIA FISHER & LORENZ

Dated: 9/22/06

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